

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RED BARN MOTORS, INC., PLATINUM)
MOTORS, INC., and MATTINGLY AUTO)
SALES, INC., individually and on behalf of)
other members of the general public similarly)
situated,)

Plaintiffs,)

v.)

NEXTGEAR CAPITAL, INC. f/k/a DEALER)
SERVICES CORPORATION,)

Defendant.)

Case No. 1:14-cv-01589-TWP-DLP

MOTION TO APPEAR *PRO HAC VICE*
FILED ON BEHALF OF ATTORNEY THOMAS M. BYRNE

Paul D. Vink of the law firm Bose McKinney & Evans LLP, pursuant to S.D. Ind. Local Rule 83-6(a), hereby moves this Court for an Order granting Thomas M. Byrne of the law firm Eversheds Sutherland (US) LLP leave to appear *pro hac vice* for the purpose of appearing as counsel on behalf of Defendant NextGear Capital, Inc. f/k/a Dealer Services Corporation in the above-styled cause only. In support of this motion, the undersigned states:

1. The Certification of Thomas M. Byrne, as required by S.D. Ind. Local Rule 83-6(b), is attached hereto as Exhibit A.
2. Electronic payment in the amount of One Hundred Dollars (\$100.00) has been submitted via pay.gov contemporaneously with the filing of this motion.

WHEREFORE, the undersigned counsel respectfully requests that this Court enter an Order granting Thomas M. Byrne leave to appear *pro hac vice* for purposes of this cause only.

Dated: April 12, 2021.

/s/ Paul D. Vink

Paul D. Vink (23785-32)
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CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2021, a copy of the foregoing **Motion to Appear *Pro Hac Vice* Filed on Behalf of Attorney Thomas M. Byrne** was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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/s/ Paul D. Vink

Paul D. Vink (23785-32)

Exhibit A

**Certification of Thomas M. Byrne
in Support of Motion to Appear *Pro Hac Vice***

In support of the Motion to Appear *Pro Hac Vice* filed on my behalf by Paul D. Vink of the law firm Bose McKinney & Evans LLP, and pursuant to S.D. Ind. Local Rule 83-6(b), the undersigned states:

1. I am admitted to practice and in good standing (*i.e.*, currently authorized to practice as an attorney) in the following United States court and/or state's highest court: U.S. District Court for the Northern District of Georgia (1983); Supreme Court of Georgia (1982).

2. I have never been disbarred or suspended from practice before any court, department, bureau, or commission of any state or the United States. I have never received a reprimand or been subject to other disciplinary action from any such court, department, bureau or commission pertaining to conduct or fitness as a member of the bar.

3. I have reviewed the *Seventh Circuit Standards of Professional Conduct* and the Local Rules of the Court, including the Rules of Disciplinary Enforcement, and that I will abide by these rules and standards.

I certify that the above information is true and correct.

Dated: April 8, 2021.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T Byrne', is written over a faint circular stamp.

Thomas M. Byrne
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